

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 39

April 10, 1997, 6:57 pm
Page S-2995 Temp. Record

NUCLEAR WASTE/No Interim Storage Site Exemptions

SUBJECT: Nuclear Waste Policy Act of 1997 . . . S. 104. Bingaman amendment No. 41 to the Murkowski substitute amendment No. 26.

ACTION: AMENDMENT REJECTED, 36-56

SYNOPSIS: As reported, S. 104, the Nuclear Waste Policy Act of 1997, will set deadlines for the Department of Energy to meet its contractual obligations to accept and to store at a single permanent repository the nuclear waste generated by the commercial nuclear power industry; that site will also be used to store all Federal nuclear waste. Congress has selected Yucca Mountain, Nevada, as the site to be considered for the permanent repository. If the President decides that site is unsuitable, a timetable for selecting an interim central storage site will be followed; the Nevada Test Site will be selected as the interim site if another interim site is not agreed upon by the President and Congress (the Nevada Test Site is commonly referred to as being at Yucca Mountain because it is on immediately adjacent land, and both sites are federally owned). If Yucca Mountain is approved for a permanent repository, an interim repository will be built at the Nevada Test Site.

The Murkowski substitute amendment would make several compromise changes. Those changes include: lowering the permitted tonnage capacity for an interim storage facility; delaying the construction and operation dates; authorizing the Environmental Protection Agency to be involved in setting the radiation protection standard; requiring the Environmental Impact Statement for the repository to include a generic analysis of the impacts from transporting used fuel to the storage facility; allowing preemption of State and local laws only if State intransigence prevented a Federal purpose; changing the user fee modifications; and striking the provision stating that existing legal rights will be protected and inserting in lieu thereof that it is the sense of Congress that legal disputes on nuclear waste should be settled.

The Bingaman amendment would strike the prohibitions in this bill on the President designating certain sites as interim nuclear waste storage sites in the event that he determines that Yucca Mountain is not a suitable site for a permanent waste repository. Those sites are as follows: the nuclear waste site in Hanford, Washington; the Savannah River Site in South Carolina; Barnwell County, South Carolina; and the Oak Ridge Reservation in Tennessee.

(See other side)

YEAS (36)			NAYS (56)			NOT VOTING (8)	
Republicans (4 or 8%)	Democrats (32 or 82%)		Republicans (49 or 92%)	Democrats (7 or 18%)		Republicans (2)	Democrats (6)
Collins	Akaka	Kerrey	Abraham	Hutchison	Biden	Grams ⁻²	Boxer ⁻²
Domenici	Baucus	Kerry	Allard	Inhofe	Cleland	Hutchinson ⁻²	Conrad ⁻²
Santorum	Bingaman	Kohl	Ashcroft	Jeffords	Ford		Dorgan ⁻²
Snowe	Breaux	Landrieu	Bennett	Kempthorne	Hollings		Feinstein ⁻³
	Bryan	Lautenberg	Bond	Kyl	Leahy		Inouye ⁻²
	Bumpers	Levin	Brownback	Lott	Murray		Wellstone ⁻²
	Byrd	Lieberman	Burns	Lugar	Wyden		
	Daschle	Mikulski	Campbell	Mack			
	Dodd	Moseley-Braun	Chafee	McCain			
	Durbin	Moynihan	Coats	McConnell			
	Feingold	Reed	Cochran	Murkowski			
	Glenn	Reid	Coverdell	Nickles			
	Graham	Robb	Craig	Roberts			
	Harkin	Rockefeller	D'Amato	Roth			
	Johnson	Sarbanes	DeWine	Sessions			
	Kennedy	Torricelli	Enzi	Shelby			
			Faircloth	Smith, Bob			
			Frist	Smith, Gordon			
			Gorton	Specter			
			Gramm	Stevens			
			Grassley	Thomas			
			Gregg	Thompson			
			Hagel	Thurmond			
			Hatch	Warner			
			Helms				
						EXPLANATION OF ABSENCE:	
						1—Official Business	
						2—Necessarily Absent	
						3—Illness	
						4—Other	
						SYMBOLS:	
						AY—Announced Yea	
						AN—Announced Nay	
						PY—Paired Yea	
						PN—Paired Nay	

Those favoring the amendment contended:

In the event that the process is followed in this bill by which the President and Congress may decide to build a nuclear waste site at a place other than the Nevada Test Site, we think every site in America should be open to consideration. However, this bill specifically will ban the consideration of sites in Washington, Tennessee, and South Carolina. The arguments that have been given for those exclusions sound logical, but logical-sounding arguments can be given for countless other areas across the country. We realize that the exempted locations for an interim repository already are having difficulty safely storing the waste that they have, but so are other sites. If we start granting exemptions we have no logical place to stop. For instance, if Hanford, Washington is going to be spared from consideration because it has contamination problems, then why should the equally contaminated Rocky Flats site in Colorado be denied the same preferential treatment? The only fair way to select an alternative interim site is to put every location into the mix. The Bingaman amendment would accomplish that end by striking the exemptions from the bill. We urge Senators to give it their support.

Those opposing the amendment contended:

Our colleagues analysis is incorrect because the basic premise on which it is based--that the exempted sites are not unique--is wrong. Those sites already have extreme problems in cleaning up poorly stored high-level nuclear waste. Some of us have personally seen the corroded tanks. The problem is especially severe at the Hanford facility, which has more nuclear waste than any other Federal facility and which has the worst storage problems as well. Much of that waste is unstable. The last thing we should do is compound the problems at these sites by adding all the rest of the high-level nuclear waste ever produced in America. The exemptions in this bill should be retained. We therefore urge the rejection of the Bingaman amendment.